

Form PTO-390
(REV 12-29-99)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

0652.2080000/EKS/PSC

U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. § 1.5)

09/555,211

INTERNATIONAL APPLICATION NO

PCT/EP98/07682

INTERNATIONAL FILING DATE

November 27, 1998

PRIORITY DATE CLAIMED

November 28, 1997

TITLE OF INVENTION

Method for Measuring the Apoptosis

APPLICANT(S) FOR DO/EO/US

STEINLEIN, Peter; HOFFMAN, Johannes; LAMM, Gabor; CHRISTOFORI, Gerhard

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 372(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Three (3) Sheets of Formal Drawings (Figures 1A, 1B, and 2); and Letter to PTO Draftsman: Submission of Formal Drawings.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50) 09/555,211	INTERNATIONAL APPLICATION NO. PCT/EP98/07682	ATTORNEY'S DOCKET NUMBER 0652.2080000/EKS/PSC
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17. <input checked="" type="checkbox"/> The following fees are submitted:	CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00		
ENTER APPROPRIATE BASIC FEE AMOUNT	=	\$

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		X \$18.00	\$	
Independent Claims	- 3 =		X \$78.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$	

TOTAL OF ABOVE CALCULATIONS	=	\$	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must be filed. (Note 37 CFR 1.9, 1.27, 1.28)		\$	

SUBTOTAL	=	\$	
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Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	+	\$	
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TOTAL NATIONAL FEE	=	\$	
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+	\$	
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TOTAL FEES ENCLOSED	=	\$	
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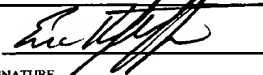
	Amount to be:	\$
	refunded:	
	charged:	\$

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit Under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 New York Avenue, NW, Suite 600 Washington, D.C. 20005-3934	 SIGNATURE Eric K. Steffe NAME 36,688 REGISTRATION NUMBER
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steinlein *et al.*

Appl. No. 09/555,211

Int'l Filing Date: November 27, 1998

For: **Method for Measuring the
Apoptosis**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 0652.2080000/EKS/PSC

Letter to PTO Draftsman: Submission of Formal DrawingsCommissioner for Patents
Washington, D.C. 20231

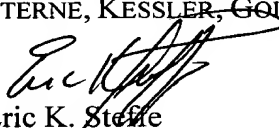
Sir:

Submitted herewith are 3 sheet(s) of formal drawings with Figures 1A, 1B and 2, corresponding to the informal drawing(s) submitted with the above-captioned application. The application number, group art unit and attorney docket number appear on the back of each sheet. Acknowledgment of the receipt, approval, and entry of these formal drawing(s) into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


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